

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANDREW KYLE WHITTECAR,

Defendant.

CR 22-39-M-DWM

ORDER

THIS matter comes before the Court on the United States' Motion for Preliminary Order of Forfeiture. (Doc. 26.) Defendant Andrew Kyle Whittecar entered into a plea agreement that provides a factual basis and cause to issue a forfeiture order under 21 U.S.C. § 853, 21 U.S.C. § 881, and 18 U.S.C. § 924(d).

Accordingly, IT IS ORDERED:

THAT the United States' motion (Doc. 26) is GRANTED;

THAT Defendant Whittecar's interest in the following property is forfeited to the United States in accordance with 21 U.S.C. §§ 853 and 881, and 18 U.S.C. § 924(d):

- A tract of land located and being a portion of the SE1/4 of Section 22, Township 9 North, Range 19 West, P.M.M., Ravalli County, Montana, and being more particularly described as Parcel C, Certificate of Survey No. 553338-F, with the address 3414 Prosperity Heights Drive, Stevensville, MT 59870;

- 2019 Ford F450 pickup truck bearing Vehicle Identification Number 1FT8W4DT4KEE58515;
- 2008 Ford F450 with a listed Vehicle Identification Number of 1FTXW43R88EB81426;
- 2015 Cadillac Escalade with a listed Vehicle Identification Number of 1GYS4SKJ8FR556876;
- 2021 Big Tex Flatbed Trailer bearing Vehicle Identification Number of 16V3F382XM4024411;
- 2001 Caterpillar Backhoe Model 420D with a listed Serial Number of FDP773;
- \$3,000.00 in U.S. Currency; and
- Glock 17 Gen4 9mm handgun with a listed serial number of BGYL917 and ammunition.

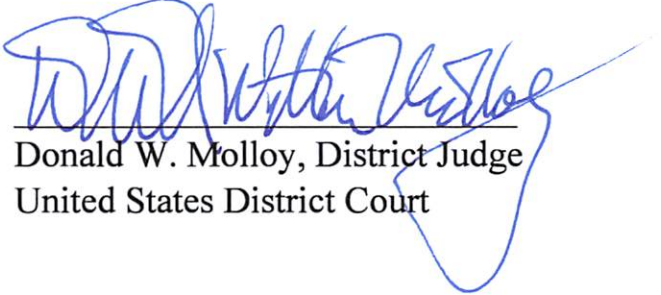
THAT the United States Drug Enforcement Administration, United States Marshals Service, or a designated sub-custodian is directed to seize the property subject to forfeiture and further to make a return as provided by law;

THAT the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, of the Court's preliminary order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 18 U.S.C. § 982(b)(1) and 21 U.S.C.

§ 853(n)(1), and to make its return to this Court that such action has been completed; and

THAT upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture.

DATED this 17<sup>th</sup> day of October, 2022.



Donald W. Molloy, District Judge  
United States District Court